

**Amendments to the Drawings**

Please replace the drawing sheets on file illustrating **FIGS. 1- 8** with the corresponding sheets enclosed which also illustrate **FIGS. 1- 8**.

### **Remarks**

Reconsideration is respectfully requested. Claims 1-22 are in the case. Claims 1-15, 18 and 22 have been withdrawn. Claims 16-17, and 19-21 stand rejected.

### **Drawings**

The examiner has objected to the drawings stating they "have been shaded in such a way that it makes it difficult from one to interpret the various elements of the figures." Applicant has submitted herewith replacement drawing sheets illustrating FIGS 1-8 to replace the sheets on file illustrating FIGS 1-8. Accordingly it is believed the objection has been overcome.

### **Claim Amendments**

No claims have been amended.

### **Specification**

The examiner has objected to the disclosure stating in the 10th line of paragraph 21 there should be a period after the word "fashion". The applicant has amended paragraph [0021] accordingly, and believes the objection has been overcome.

The examiner has objected to the title of the invention stating it is not descriptive and has suggested the following title "Optical communications adapter module with a selected optical board assembly configured for use inside a XENPAK-sized module". As indicated in the **Amendments to the Specification** section above, applicant respectfully requests the title "OPTICAL COMMUNICATIONS ADAPTER MODULE CONFIGURED FOR USE INSIDE A XENPAK-SIZED MODULE" be used.

### **Claim Rejections – 35 USC § 103**

The examiner has rejected claims 16, 17 and 19-21 under 35 U.S.C. 103(a) as being unpatentable over Scheibenreif et al (US 2005/0036746). Applicant respectfully requests reconsideration of this rejection for the following reasons:

Scheibenreif et al. has an earliest effective date of July 23, 2003. However, the invention date of the subject matter of claims 16, 17 and 19-21 precede that date as evidenced by the attached declaration under 37 C.F.R. § 1.131, along with photocopies of the supporting documents that are provided herewith. In particular, the declaration along with the photocopies of the supporting documents show that the subject matter of claims 16, 17 and 19-21 has a conception date at least as early as June 14, 2002, and subsequent diligence beginning at least prior to the earliest effective date of Scheibenreif et al. (July 23, 2003) until filing of the subject patent application on December 30, 2003. Therefore, the invention date of the subject matter of claims 16, 17 and 19-21 predates the effective date of Scheibenreif et al., rendering Scheibenreif an ineligible reference. Applicant, therefore, respectfully requests the examiner reconsider the rejection under section 102(b) and allow claims 16, 17 and 19-21.

### **Double Patenting Rejection**

The examiner has provisionally rejected claims 16, 20 and 21 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 14-20 of copending Application No. 10/748982. The copending application No. 10/748982 has issued as US Patent 7,008,122. The examiner has also provisionally rejected claims 16, 20 and 21 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 14-20 of copending Application No. 10/748978.

Applicant agrees herewith to submit a terminal disclaimer, in accordance with 37 CFR 3.73(b), when the claims are otherwise allowable and the double patenting rejection is no longer provisional.

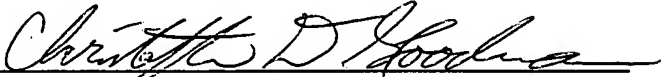
### Conclusion

Applicant submits claims 16, 17 and 19-21 are in condition for allowance. A Notice of Allowance is respectfully requested.

If there are any questions, the Examiner is invited to contact the undersigned at (503) 796-2496. Also, the Commissioner is hereby authorized to charge shortages or credit overpayments to Deposit Account No. 500393.

Respectfully submitted,  
SCHWABE, WILLIAMSON & WYATT

Dated: 5-24-06

  
Christopher D. Goodman  
Registration No. 34,338

Pacwest Center, Suite 1600-1900  
1211 SW Fifth Avenue  
Portland, Oregon 97204  
Telephone: (503) 222-9981